

Remarks

I. Introduction

This is in response to the Office Action dated April 18, 2005. The Office Action rejected the pending claims under 35 U.S.C. §103(a) and various combinations of cited art. The particular rejections will be discussed in further detail below.

In response, Applicants have amended claims 1, 13, 22, 35, 41 and 48. Claims 8, 9, 19, 20, 32, 33, 37-40, 43-47, 53 and 61-64 have been previously cancelled. Claims 1-7, 10-18, 21-31, 34-36, 41, 42, 48-52 and 54-60 remain for consideration.

II. The Currently Pending Claims are Allowable over the Cited Art.

The present invention is directed to a system and method for advertising and carrying out electronic commerce on the Web. The present invention takes advantage of advertising software that operates as an overlay to a conventional known browser, and divides the user's client computer display into an advertising area and a browser area. This configuration of software elements allows for certain advantages over the prior art. Such advantages, which are the subject of the claims, are not shown nor suggested in the cited art. As such, allowance of all pending claims is respectfully requested.

The first advantage is the dynamic targeting of advertisements to a user's web browser. As described in the specification at page 18, lines 10 – 27 and page 25, line 17 – page 28, line 27, one advantage of the present invention is the ability to target specific advertisements to users based on the browsing habits of the user. In particular, the advertisements are targeted by analyzing the content of the pages displayed in the browser display area and choosing advertisements relating to the content of such pages.

The second advantage is the ability to display further advertising information in the browser area when the user selects a link in the advertising area. As such, the selection of a link in the advertising area of the display causes information to be displayed in the browser area of the display. Thus, if a user, upon viewing an

advertisement, wishes to see additional information about a product or service, the user may select a link and cause such additional information to be displayed in the browser display area.

Neither of these two advantages are shown in the cited references.

Claim 1 has been rejected under §103(a) as being unpatentable over Van Hoff et al. in view of “CMP’s TechWeb (Tm) ...” (CMP). However, the combination of Van Hoff et al. and CMP does not result in the claimed invention.

Independent claim 1 has been amended to contains the following limitations:

said advertising software adapted to receive an advertisement selected based on an analysis of the content of at least one page displayed to a user by said browser in said second region of said display device

wherein an advertisement displayed to the user by said advertising software in said first region of said display device comprises at least one link that loads and displays a page in said second region of said display device by said browser when said link is selected by a user.

Claim 1 has been amended to more particularly point out that the targeted advertisement is selected based on an analysis of **the content** of a page displayed in the browser region of the display. The Office Action admits that van Hoff et al. fails to disclose this limitation. The Office Action relies on CMP as providing the missing disclosure. However, CMP does not disclose this claim limitation. As amended, claim 1 requires that the advertisement be selected based on an analysis of **the content** of the page **displayed to** the user in the browser region of the display. As further discussed in the specification at page 25, line 17 – page 26, line 20, this allows the presentation of advertisements of interest to the user. For example, if the web page is an HTML document (as is often the case) then the content of the web page may be analyzed by an analysis of the words that appear between the TITLE headers in the HTML documents. Thus, the analysis is based upon an analysis of the web page, as displayed to the user in the browser region of the display.

The Office Action cites CMP as disclosing this aspect of the invention. However, CMP is directed to a different type of advertising system. CMP describes a system in which advertisers link their advertisements to keywords and then provide a user with an advertisement when the user enters a search term containing one of the predetermined keywords. Thus, this advertising system is only applicable to a keyword searching type of web page. Importantly, however, the CMP system does not analyze “the **content** of at least one page **displayed** to a user”. In the CMP system, the page displayed to the user is the search page, typically with an empty search box in which the user may enter search terms. An analysis of the content of such a search page displayed to a user (as required by amended claim 1) would provide little-to-no information about the user’s interests. It is only after the user transmits search terms to the search website that the search website of the CMP system can analyze the words entered by the user. However, the analysis of the user entered words is very different than the analysis of the content of the original page as originally displayed to the user. Thus, CMP does not provide the missing disclosure and as such, a combination of Van Hoff et al. and CMP cannot render claim 1 obvious.

In addition, claim 1 also particularly claims that the advertisement displayed in the advertising region comprises a link that, when selected by a user, displays a page in the browser region. The outstanding Office Action fails to address this limitation, and therefore has failed to make a prima facie showing of obviousness. More particularly, the Office Action sets forth the basis for rejection of claim 1 at page 3, line 8 – page 4, line 14 of the Office Action. Nowhere in that portion of the Office Action is this claim limitation addressed.

Notwithstanding the Office Action’s failure to address this limitation, Applicants will address this limitation in view of van Hoff et al. Col. 5, lines 1-14 of van Hoff et al. merely indicates that additional information about an advertisement may be retrieved through a URL which is linked to a WWW site. However, in accordance with the disclosure of van Hoff et al., the additional information will be displayed in the advertisement window of the display, not in the browser window as claimed in claim 1. As disclosed by van Hoff et al. at col. 5, lines 1-14, the applets (310) perform the retrieval of the additional information. As described at col. 7, lines 25-30 of van Hoff et

al., the applets are methods for displaying the information in the Ad list and the **Ad window** (corresponding to the advertising region of the present invention), as distinguished from the present invention in which the additional information selected by the user is displayed in the **browser region** of the display. Claim 1 claims that when a user clicks on an advertisement in the advertisement region of the display, the resulting information is displayed in the browser region of the display. However, in van Hoff et al. the additional retrieved information is displayed in the advertising section, not in the browser region. As such, van Hoff et al. does not disclose this claim limitation, and the present invention is therefore allowable over the cited art.

All other independent claims (i.e., claims 13, 22, 35, 41 and 48) contain limitations similar to those added to claim 1. Claim 13 contains the limitations of:

wherein an advertisement displayed by said advertising software in said advertising area comprises at least one link that loads and displays a page in a browser area when said link is selected by the user; and

wherein said server targets said advertisements to the user, said server selecting advertisements based on an analysis of the content of pages displayed through said browser in said browser area on said client's computer at the user's request.

Similarly, independent claims 22, 35 and 41 contain the limitations of:

a. loading advertising software from a server on a client computer with a browser at a user's request, said advertising software dividing the client computer screen into a browser area and an advertising area;

b. analyzing the content of pages viewed through said browser in said browser area on said client computer at the user's request in order to determine the topics of said pages.

Similarly, independent claim 48 contains the limitations of:

a memory that stores browser software adapted to be executed to retrieve and display in a browser area a hypertext page from a site and advertising software adapted to retrieve and display in an advertising area targeted advertisement from an advertising server which selects advertisements based on an analysis of the content of pages viewed through said browser software in said browser area

wherein said browser software and advertising software is further adapted to display an advertisement page by the browser in said browser area when an advertisement displayed by said advertising software in said advertising area is selected by the user;

All independent claims contain limitations directed to 1) dynamic targeting of advertisements by analysis of the content of pages in the browser area; and 2) displaying information in the browser area when a link from the advertising area is selected. As described above, neither of these limitations is disclosed nor suggested in the cited art. Allowance of independent claims 1, 13, 22, 35, 41 and 48 is requested.

All remaining dependent claims depend upon, and incorporate the limitations of, one of the independent claims described above and are allowable for the reasons discussed above. Further, the dependent claims are further allowable due to the additional patentable subject matter claimed therein. For example, claims 4, 14, 27 and 50 are directed to the establishment of interactive communications between a user and a sales agent through the use of the advertising software. Applicants repeat the arguments made with respect to these claims in the prior responses dated September 19, 2003 and January 13, 2005.

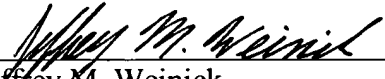
III. No New Matter Has Been Added

The claim amendments made herein are fully supported by the patent application as filed. The limitation relating to analysis of the content of a web page is supported by the application as filed at least at page 25, line 17 through page 26, line 20.

IV. Conclusion

For the reasons discussed above, all pending claims are allowable over the cited art. Reconsideration and allowance of all pending claims is respectfully requested.

Respectfully submitted,



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Date: August 12, 2005
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